APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,514	03/08/2001	Sridhar Obilisetty	026507-000300US	6110

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TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER
VU, TUAN A

ART UNIT	PAPER NUMBER
2193	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/21/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	09/803,514	OBILISETTY, SRIDHAR
	Examiner	Art Unit	
	Tuan A. Vu	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 August 2006*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-36* is/are pending in the application.

⠀⠀4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

⠀⠀Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

⠀⠀Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

⠀⠀a)☐ All   b)☐ Some * c)☐ None of:

⠀⠀1.☐ Certified copies of the priority documents have been received.

⠀⠀2.☐ Certified copies of the priority documents have been received in Application No. _____.

⠀⠀3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

⠀⠀* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
⠀⠀⠀Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
⠀⠀⠀Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the Applicant's response filed 8/16/06.

As indicated in Applicant's response, claims 1, 5-6, 8, 15, 17-18, 20, 25, 29, and 32 have

been amended. Claims 1-36 are pending in the office action.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 1-12, and 25-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bloch et al., USPN: 2002/0129129 (hereinafter Bloch) in view of W3C, "SDML – Signed

Document Markup Language", 19, June, 1998 - NOTE-SDML-19980619, pp. 1-36 URL:

http://www.w3.org/TR/1998/NOTE-SDML-19980619/ (hereinafter SDML).

As per claim 1, Bloch discloses a method for implementing an application on a client

computer system, said method comprising code for:

receiving at said client a plurality of text files; each defining a component of the

application (e.g. Fig. 1; steps 66, 68, 70 - Fig. 5; Fig. 6; pg. 10-11, para 0095, 0096);

executing a program resident on said client system for using a combination of said text

files to create an application (e.g. *AVM 221* - Fig. 2); and

creating said application on said client system according to said program (e.g. Fig. 2, 5).

But Bloch does not explicitly disclose checking automatically for updated versions of said text

files. Bloch however addresses the urge for providing latest set of files in accordance to

appropriate version of script file or virtual machine files with regard to version (e.g. para 0051-0053, pg. 5-6); hence has taught checking of files and their latest upgrade; and further discloses parsing XML or HTTP text files and browser (Fig. 5; para 0030, pg. 3). It is noted that a version being included in the header of XML, HTTP files or any markup type messages according to W3C standard applicable to data transfer in browser/web technologies was well-known concept at the time the invention was made (see SDML: sections 1.4, pg. 7; section 4.2, 4.3.1, pg. 13-14; section 4.3.4, 4.3.5, pg. 19-21; DTD pg. 31), in business communication so to support security aspect of data received. Based on the W3C teaching on the multi-platforms usefulness of markup -- like XML/DTD, SDML format-- in Web messaging/communication, and in light of the desirability of updating browser files to meet the appropriate virtual machine or execution environment version as mentioned above along with the compliance checking when markup files are processed by a browser engine as exemplified in SDML, it would have been obvious for one of ordinary skill in the art at the time the invention was made to enhance the desire for version checking as shown by Bloch so that using the browser engine for automatically checking the text files for the latest upgraded file version because this would enable the executing environment to be provided with the appropriate files according to the version (as set forth by SDML as an example) expected for such environment as addressed above, such security features being endeavored at length in message across business platforms regarding authenticity of data, and evidenced in part by SDML (see section 1.1, pg. 3-4).

As per claim 2, Bloch discloses XML format (Fig. 1, 2, 4,5).

As per claim 3, Bloch discloses server central source for managing and distributing applications or modifications for applications (e.g. *upgrades, fixes* - pg. 3, para 0032; pg. 5, para 0045-0046; pg. 12, para 0109).

As per claim 4, refer to claim 3 and Bloch's Fig. 1, 2, 4,5.

As per claim 5, Bloch discloses steps of executing an application, sending a request and executing the application in parallel while waiting for response from the request (e.g. ... *reports to the Application Handler 302, ... periodically updates* -- pg. 9, para 0080 – 0082 – Note: resolving a URL with data retrieval while leaving the GUI window on for being updated on tree events changes and notified of download status is equivalent to executing application while waiting for remote response)

As per claim 6, Bloch discloses connectionless application execution (e.g. pg. 8, para 0069; pg. 12, para 0108)

As per claim 7, Bloch discloses text files particular to client system (e.g. pg. 4, para 0037; pg. 5, para 0047, 0050)

As per claim 8, Bloch discloses receiving new text file defining a component of said application, and modifying application by using a newer text files replacing older files (*upgrades, fixes* - pg. 3, para 0032; *most recent ...version* - pg. 12, para 0107).

As per claim 9, Bloch discloses graphical user interface (e.g. Fig. 6).

As per claim 10, Bloch discloses application being communication preferences for database invocation (e.g. pg. 7, para 0063; Preference Handler 303 - Fig. 4)

As per claim 11, Bloch discloses data management application (e.g. step *52* – Fig. 5;

Manager 301 -Fig. 4 - Note: downloading files to assemble manager module reads on

application being a management application).

As per claim 12, Bloch discloses component being part of logic of application (pg. 1,

para 0012; pg. 4, para 0037).

As per claim 25, Bloch discloses a computer-readable medium having program code on

a computer system to perform a method comprising code for:

installing a plurality of text files, each defining a component of the application (e.g. Fig.

1; steps 66, 68, 70 - Fig. 5; Fig. 6; pg. 10-11, para 0095, 0096);

installing a program wherein said program comprises instructions for using a

combination of said text files to create an application (e.g. *AVM 221* - Fig. 2); and

creating said application on said client system according to said program (e.g. Fig. 2, 5)

receiving automatically any updated versions of said execution environment files (e.g. *to*

make sure ... most current versions ... download and install automatically-- para 0051-0053,

pg. 5-6) in response to version checking.

But Bloch does not explicitly disclose automatically receiving any updated versions of

said text files in response to version checking. Bloch teaches database storage for download

support for version upgrades and the implicit version checking by browsers of markup files as set

forth in claim 1.   Thus, it would have been obvious for one of ordinary skill in the art at the time

the invention was made to enhance Bloch deployment and XML processing environment so that

not only script or virtual machine files, but also the text files such as the XML files are checked

for update and automatic re-download, according to the version checking as known in browser

technologies (exemplified by SDML) set forth in claim 1, because of the desirability to conform

not only application files but also specification files, a concept inherent to browsers using XML

metadata without which format and version conformance would potentially create application

execution conflicts; and this has been set forth in the rationale using SDML above in claim 1.

   As per claims 26-36, these claims correspond to claims 2-12 respectively, hence are

rejected with the corresponding rejections as set forth therein, respectively.

4.   Claims 13-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bloch et al.,

USPN: 2002/0129129; in further view of Landsman et al., USPN: 6,314,451 (hereinafter

Landsman).

   As per claim 13, Bloch discloses a computer system with bus, processor coupled to a bus

(*Client PC* - Fig. 1; pg. 12, para 0108) for implementing an application comprising the steps:

      receiving (text files);

      executing (program resident);

      creating (application).   All these steps limitations have been addressed in the

corresponding office action portions addressing claim 1; hence are rejected herein with the

corresponding rejections as set forth therein, respectively.

   But Bloch does not disclose uploading results from using said application to a server

computer system. However, Bloch teaches legacy browsers (para 0048) so as to obviate

redeploying using alternate means as well as remote persisting of records on reuseable user

application data until the user decide to change the application preferences (para 0069-0070, pg.

8). Landsman teaches a browser environment where the user can customize application-related

preferences by providing mouse-clicking interface analogous to the user-driven method of Bloch.

Retransmitting of deployed application results are evidenced further in Landsman's method

wherein logs of application execution data are uploaded to a server (e.g. col. 31, line 62-67).

Based on the desirability to persist user preferences and the implied benefits of legacy of schema

being used for users as mentioned above, it would have been obvious for one of ordinary skill in

the art at the time the invention was made to enhance Bloch server database records so that there

is an uploading of application results as taught by Landsman so that improvement of previous

results or user schema preferences would lend some insight as implied via Bloch's teachings or

via the analysis of logs data by Landsman.

As per claims 14-24, these claims correspond to claims 2-12 respectively, hence are

rejected with the corresponding rejections as set forth therein, respectively.

Response to Arguments

5.   Applicant's arguments filed 8/16/06 have been fully considered but they are not

persuasive. Following are the Examiner's observations thereto.

The Applicant has submitted that some paragraphs in the previous Office Action fail to

provide explicit support for anticipation on a claimed *version* limitation related to markup files or

XML/HTML data by the Block reference. The argument is moot in view of the new grounds of

rejection.

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tuan A Vu whose telephone number is (272) 272-3735. The

examiner can normally be reached on 8AM-4:30PM/Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571)272-3756.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-3735 (for non-official correspondence - please consult Examiner before using) or 571-273-8300 (for official correspondence) or redirected to customer service at 571-272-3609.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tuan A Vu
Patent Examiner,
Art Unit 2193
December 16, 2006